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TO EXAMINER BENJAMIN R. BRUCKART**

TO: Commissioner for Patents  
Attn: Examiner Benjamin R. Bruckart  
Group Art Unit 2155  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0072.0032  
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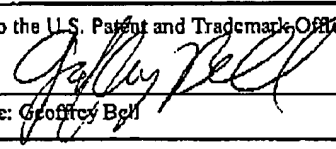
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Title of Document Transmitted: PROPOSED AGENDA FOR PHONE INTERVIEW

Applicant: D.R. Day et al.  
Serial No.: 09/645,386  
Filed: August 24, 2000  
Group Art Unit: 2155  
Docket No.: AUS920000360US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
December 11, 2003

By:   
Name: Geoffrey Bell

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	D.R. Day et al.	Examiner:	Benjamin R. Bruckart
Serial No.:	09/645,386	Group Art Unit:	2155
Filed:	August 24, 2000	Docket No.:	AUS920000360US1
TITLE:	METHOD, SYSTEM, AND PROGRAM FOR GATHERING INDEXABLE METADATA ON CONTENT AT A DATA REPOSITORY		

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted via facsimile to Examiner Benjamin Bruckart of the U.S. Patent and Trademark Office at 1-703-746-6568 on December 11, 2003.

  
Geoffrey A. Bell

**INFORMAL COMMUNICATION -****DO NOT ENTER INTO RECORD:****PROPOSED AGENDA FOR PHONE INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A phone interview is scheduled for Friday, Dec. 12<sup>th</sup> at 1:00PM (EST) to discuss the rejection of the claims as anticipated (35 U.S.C. §102) and obvious (35 U.S.C. §103) over cited prior art. The Examiner requested applicants to submit an agenda. Applicants propose the following amendments to the claims to discuss during the phone interview:

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## PROPOSED AMENDMENT TO THE CLAIMS

1. (Proposed Amendment) A method for searching a data repository managed by a content provider to gather indexable metadata on content at addresses locations at the data repository, comprising:

accessing settings capable of being customized by the content provider, wherein the customized settings provide instructions on how to search the content provider's data repository and information to use when processing content pages in the data repository;

accessing content pages at the content provider's data repository;

accessing the content of content pages at the content provider's data repository in accordance with instructions included in the accessed customized settings;

using the information in the instructions when processing the accessed content; and

generating metadata from accessed content pages in response to using the information to add to an index of metadata for accessed addressable locations at the data repository.

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### REMARKS

The Examiner found that claims 1-4, 9, 10, and 18 are anticipated by the reference "A Method for Web Robots Control", by the Internet Working Group (hereinafter referred to as the "Network Working Group"). (Office Action, pgs. 2-3) Applicants traverse for the following reasons.

Applicants amended claim 1 to add the requirements that the customized settings further include "information to use when processing content pages in the data repository", "using the information in the instructions when processing the accessed content"; and that the metadata is generated "in response to using the information".

Applicants want to discuss why the added claim requirements are nowhere disclosed in the cited Network Working Group because this cited reference discusses providing robots information on which parts of the web site that are forbidden. (Network Working Group, pgs. 2-3) Applicants want to discuss why nowhere does this cited reference disclose the proposed add limitations that the information in the instruction is used when processing the accessed content and that the metadata is generated "in response to using the information.

Applicants want to discuss certain of the dependent claims if necessary, such as why dependent claims 5-8 provide additional grounds of patentability over the cited combination of the Network Working Group and Stewart (U.S. Patent No. 5,715,453). In particular, Applicants want to discuss why the cited col. 2, lines 7-21 of Stewart does not teach or suggest the claim requirement that the accessed customizable settings provide query terms for at least one included addressable location, and that these query terms are used to obtain query results and generate metadata therefrom.

With respect to claim 9, Applicants want to discuss why the cited Network Working Group, pg. 2 does not disclose the claim requirements that the accessed customizable settings further indicate a recursive search setting indicating whether to search hypertext links to linked addressable locations included in the accessed content page. Nowhere in the cited page 2 is there any mention of a recursive search setting as claimed.

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Applicants propose amending independent claims 21 and 39, the independent system and program claims, to include the limitations proposed for claim 1 to place these claims in condition for allowance. Applicants further submit that the claims that depend from claims 21 and 39 would provide further grounds of patentability over the cited art for the reasons discussed with respect to the corresponding claims dependent from claim 1.

Dated: December 11, 2003

By: \_\_\_\_\_

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